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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 PRECIOUS OKEREKE,

12 Plaintiff,

13 vs.

14 JUDGE RAYMOND BRASSARD,

15 Defendant.

CASE NO. 11-CV-2781-LAB-WMC

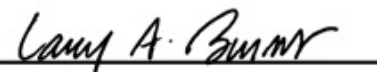
**ORDER DENYING MOTION TO  
ALTER OR AMEND JUDGMENT**

16 The Court dismissed Okereke's complaint on February 14, 2012 pursuant to 28  
17 U.S.C. § 1915(e)(2)(B), finding that it was both unintelligible and failed to state a claim upon  
18 which relief can be granted. Okereke subsequently filed a motion to alter or amend the  
19 judgment under Fed. R. Civ. P. 59(e).

20 The motion has the same problems as Okereke's complaint. It is heavy on rhetoric  
21 and prose but utterly lacking in substance and coherence. Under Rule 59(e), a district court  
22 may only alter or amend a judgment if: (1) it is presented with newly discovered evidence;  
23 (2) it committed clear error or made an initial decision that was manifestly unjust; or (3) there  
24 has been an intervening change in controlling law. *United Nat. Ins. Co. v. Spectrum*  
25 *Worldwide, Inc.*, 555 F.3d 772, 780 (9th Cir. 2009). Okereke has not shown that any of  
26 these conditions are met here. Instead, the most that can be said of Okereke's motion is  
27 that it is legible, and anyway, there is no argument available to Okereke that can overcome  
28 the immunity to which Judge Brassard is entitled.

1 The Court would also note that the notice page of Okereke's motion is signed by  
2 Chukwuma E Azubuko, not Okereke. Azubuko is a serial pro se litigant in this Court whose  
3 cases have consistently been dismissed for failure to state a claim. The motion to alter or  
4 amend the judgment is **DENIED**.

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6 DATED: March 26, 2012

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8 **HONORABLE LARRY ALAN BURNS**  
9 United States District Judge  
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